



UNITED STATES PATENT AND TRADEMARK OFFICE

m-l

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,871	11/16/2001	Syed Abdulkader El Shariff Bin Mohamed Alhadad	70751	2339

27975 7590 02/22/2007
ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST P.A.
1401 CITRUS CENTER 255 SOUTH ORANGE AVENUE
P.O. BOX 3791
ORLANDO, FL 32802-3791

EXAMINER

ELAHEE, MD S

ART UNIT PAPER NUMBER

2614

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 09/990,871	Applicant(s) MOHAMED ALHADAD ET AL.	
	Examiner Md S. Elahee	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2614

DETAILED ACTION

Response to Amendment

1. This action is responsive to an amendment filed on 11/29/2006. Claims 21-49 are pending. Claims 1-20 have been previously cancelled out.

Response to Arguments

2. Applicant's arguments in the 11/29/2006 Remarks have been fully considered but they are not persuasive.

The applicant provides a series of conclusory statements, which are repeated throughout page 11. For example, after providing a conclusion of the prior art Rogers that Rogers et al does not provide evidence in support for the rejection, the applicant then introduces a distinct conclusion that the applicant intends to appeal the rejection to the Board of Appeals. Then the applicant immediately introduces another distinct conclusion that "As in the rejection relying upon the patent to Rogers et al, applicants consider the definition of the invention in the rejected claims to be neither taught nor suggested by the cited prior art" (page 11, lines 22-25). None of these conclusions seem to follow from the applicant's brief characterization of the prior art and are thus unsupported by argument.

The reply by the applicant...must present arguments pointing out the specific distinctions believed to render the claims, including any newly presented claims, patentable over any applied references.

....

Art Unit: 2614

A general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references does not comply with the requirements of this section.

Patent Rule 37 CFR 1.111(b) (emphasis added)

Here, the applicant has failed to provide specific arguments that point out the distinctions believed to render the claims patentable but instead offers a series of unsupported and general conclusions that amount to general allegations as discussed above. Thus, applicant's arguments fail to comply with 37 CFR.111(b). It is a fundamental concept in administrative law that proper notice (e.g., notice to both the public and to the Office concerning the supposed errors in the examiner's Office action) should include specific and clear arguments that support the applicant's general conclusions.

Examiner has explained further details of the rejection in view of Rogers et al. in this action.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 21-49 are rejected under 35 U.S.C. 102(b) as being anticipated by Rogers et al. (U.S. Patent No. 5,946,386).

Art Unit: 2614

As to Claims 21,33,45, with respect to Figures 1 and 6-7, Rogers teaches for use in a call service facility in which a call agent is in live voice communication with a party situated at a location other than said facility, said call agent being equipped with and using a computer workstation, said computer workstation including a keyboard and visual display interface accessible to the call agent and coupled with a voice message storage and retrieval mechanism (Figure 1, labels 111,114 and Figure 6; Col. 2, lines 50-58), said live voice communication being necessary to accomplish the primary purpose of a call, said primary purpose being the collection of information from said party that said call agent enters into a form containing a plurality of objects ("Add", "Delete" or checking box of Figure 7 are the claimed objects, see Col. 36, lines 46-50) and displayed on said visual display interface through execution of a call management [i.e., forms-based target] application program, a method of automatically supplying one or more voice messages to said party, said method comprising the steps of: (Note; since the call management application program displays forms (see fig.7), the call management application program is the claimed "forms-based target application program".)

(a) storing one or more pre-recorded voice messages in said voice storage and retrieval mechanism that may be played back to said party in response to a voice message selection signal applied thereto (Col.14, lines 25-32, Col.31, lines 60-67);

(b) providing a call management computer (fig.1, label 101) [i.e., target application enhancement mechanism] that is linked with and executed as an enhancement to said call management [i.e., forms-based target] application program, said target application enhancement mechanism being operative, in response to said call agent performing, in association with said

Art Unit: 2614

live voice communication with said party, a prescribed interaction with one or more selected objects displayed on said visual display interface of said computer workstation (fig.1, label 101) by said forms-based target application program, to automatically trigger one or more actions (Col. 29, lines 59-67, Col.31, lines 60-67), in addition to those performed by said forms-based target application program in response to such prescribed interaction, including automatic generation of said voice message selection signal, so as to cause automatic playback, by said voice message storage and retrieval mechanism to said party, of one or more of said pre-recorded voice messages, or other pre-defined action, at one or more appropriate junctures during said call (abstract; Col. 29, lines 59-67, Col. 31, lines 11-15,45-50,60-67). (Note; examiner considers the claimed “or” in line 33 of the claim 21 as simple alternative “or”; and if, examiner proves any one of the alternatives is prior art; then what claim teaches is read on the prior art. In this instance, only the claimed “one or more of said pre-recorded voice messages” is read on the prior art.)

As to Claims 22,34,46, Rogers teaches the method according to claim 21, wherein said target application enhancement mechanism is operative to automatically trigger said one or more actions, in addition to those performed as a result of execution of said forms-based target application program, without access to source code of said forms-based target application program (Figure 6 and Col. 31, lines 60-67).

Art Unit: 2614

As to Claims 23,35,47, Rogers teaches the method according to claim 22, wherein said target application enhancement mechanism is operative to perform at least one of hooking and subclassing actions with respect to said forms-based target application program (Col. 32, lines 9-20).

As to Claims 24,36, Rogers teaches the method according to claim 21, wherein said voice storage and retrieval mechanism is operative to automatically play back said one or more pre-recorded voice messages in the voice of said call agent, so that it appears to said party that said call agent is speaking said one or more pre-recorded voice messages (Col. 37, lines 8-18).

As to Claims 25,37, Rogers teaches the method according claim 21, wherein said prescribed interaction performed by said call agent with said one or more selected objects displayed on said display interface of said computer workstation by said forms-based target application program includes manipulation of a selected object on said visual display interface (Col. 31, lines 44-50).

As to Claims 26,38, Rogers teaches the method according to claim 21, target application enhancement mechanism is operative, in response to said call agent performing said prescribed interaction with one or more selected objects displayed by said visual display interface, to cause said voice message storage and retrieval mechanism to play back respectively different voice messages requesting said party to supply respectively different information components associated with said one or more selected objects (Col. 31, lines 45-50 and Col. 37, lines 8-18).

As to Claims 27, 39, Rogers teaches the method according to claim 21, wherein said target application enhancement mechanism is operative to cause said visual display interface to display a text message associated With the playback of said one or more selected voice messages to said party (Col. 38, lines 29-34).

As to Claims 28, 40, Rogers teaches the method according to claim 21, wherein said target application enhancement mechanism is operative to modify the appearance of a selected object with which a voice message to be played back to said party is associated, on said visual display interface (Col. 38, lines 29-40).

As to Claims 29, 41, Rogers teaches the method according to claim 21, wherein said target application enhancement mechanism is operative to cause said visual display interface to modify a text message displayed thereby (Figure 7; Col. 36, lines 56-62).

As to Claims 30, 42, Rogers teaches the method according to claim 21, wherein said voice message is effective to cause said party to voice information that is subsequently entered by said call agent into one or more fields of said form displayed on said visual display interface of said computer workstation (Figure 7; Col. 31, lines 44-49, Col. 36, lines 56-62).

Art Unit: 2614

As to Claims 31, 43, 48, Rogers teaches the method according to claim 21, wherein said target application enhancement mechanism is operative to cause said visual display interface to display an object in addition to objects displayed thereby as a result of execution of said forms-based target application program (Figure 7; Col. 36, lines 56-62).

As to Claims 32, 44, 49, Rogers teaches the method according to claim 21, wherein said target application enhancement mechanism is operative to modify the appearance of one or more selected objects displayed on said display interface of said computer workstation by said forms-based target application program (Figure 7; Col. 36, lines 56-62).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Martin (U.S. Patent No. 6,606,373) teach Controller for use with communications systems for generating a condensed text message index.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

Art Unit: 2614

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S. Elahee whose telephone number is (571) 272-7536. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ME

MD SHAFIUL ALAM ELAHEE
February 20, 2007


FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600